

Presented to the Court by the foreman of the
Grand Jury in open Court, in the presence of
the Grand Jury and FILED in the U.S.
DISTRICT COURT at Seattle, Washington.

May 8 2024
Ravi Subramanian, Clerk
By _____ Deputy

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff

v.

1. HECTOR DURAN ALDACO,
2. DAMIAN PINA-RAYMUNDO,
3. DANIEL MORENO,
4. ROGELIO PENA,
5. DAVID PADILLA,
6. ALEX ORTIZ,
7. NELDIN LICONA RIVERA,
8. ALEXANDER KEMP,
9. BRYAN GONZALEZ GUTIERREZ,
- and
10. SEBASTIAN ROJAS,

Defendants.

NO. **CR 24 - 079 KKE**

INDICTMENT

The Grand Jury charges that:

COUNT 1

(Conspiracy to Distribute Controlled Substances)

Beginning at a time unknown, and continuing until at least May 8, 2024, in King
County, within the Western District of Washington, and elsewhere, HECTOR DURAN

1 ALDACO, DAMIAN PINA-RAYMUNDO, DANIEL MORENO, ROGELIO PENA,
2 DAVID PADILLA, ALEX ORTIZ, NELDIN LICONA RIVERA, ALEXANDER
3 KEMP, BRYAN GONZALEZ GUTIERREZ, and SEBASTIAN ROJAS, and others
4 known and unknown, did knowingly and intentionally conspire to distribute controlled
5 substances, including: methamphetamine, cocaine, N-phenyl-N-[1-(2-phenylethyl)-4-
6 piperidiny] propanamide (fentanyl)], and alprazolam, substances controlled under Title
7 21, United States Code.

8 The Grand Jury further alleges that with respect to HECTOR DURAN ALDACO,
9 DANIEL MORENO, ROGELIO PENA, and SEBASTIAN ROJAS, their conduct as
10 members of the conspiracy charged in Count 1, which includes the reasonably
11 foreseeable conduct of other members of the conspiracy charged in Count 1, involved 50
12 grams or more of methamphetamine, its salts, isomers, or salts of its isomers, and 500
13 grams or more of a mixture or substance containing a detectable amount of
14 methamphetamine, in violation of Title 21, United States Code, Sections 841(b)(1)(A).

15 The Grand Jury further alleges that with respect to HECTOR DURAN ALDACO,
16 DAMIAN PINA-RAYMUNDO, ROGELIO PENA, DAVID PADILLA, NELDIN
17 LICONA RIVERA, and SEBASTIAN ROJAS, their conduct as members of the
18 conspiracy charged in Count 1, which includes the reasonably foreseeable conduct of
19 other members of the conspiracy charged in Count 1, involved 400 grams or more of a
20 mixture and substance containing a detectable amount of Fentanyl, in violation of Title
21 21, United States Code, Sections 841(b)(1)(A).

22 The Grand Jury further alleges that with respect to HECTOR DURAN ALDACO
23 and DAVID PADILLA, their conduct as members of the conspiracy charged in Count 1,
24 which includes the reasonably foreseeable conduct of other members of the conspiracy
25 charged in Count 1, involved 5 kilograms or more of a mixture and substance containing
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1 a detectable amount of cocaine, in violation of Title 21, United States Code, Sections
2 841(b)(1)(A).

3 The Grand Jury further alleges that with respect to ALEXANDER KEMP, his
4 conduct as a member of the conspiracy charged in Count 1, which includes the
5 reasonably foreseeable conduct of other members of the conspiracy charged in Count 1,
6 involved 5 grams or more of methamphetamine, its salts, isomers, or salts of its isomers,
7 and 50 grams or more of a mixture or substance containing a detectable amount of
8 methamphetamine, in violation of Title 21, United States Code, Sections 841(b)(1)(B).

9 The Grand Jury further alleges that with respect to DAMIAN PINA-
10 RAYMUNDO, DANIEL MORENO, NELDIN LICONA RIVERA, and BRYAN
11 GONZALEZ GUTIERREZ, their conduct as members of the conspiracy charged in
12 Count 1, which includes the reasonably foreseeable conduct of other members of the
13 conspiracy charged in Count 1, involved 500 grams or more of a mixture or substance
14 containing a detectable amount of cocaine, its salts, optical and geometric isomers, and
15 salts of isomers., in violation of Title 21, United States Code, Sections 841(b)(1)(B).

16 All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C),
17 and 846.

18 COUNT 2

19 **(Possession of Controlled Substances with Intent to Distribute)**

20 On or about February 27, 2024, in King County, within the Western District of
21 Washington, HECTOR DURAN ALDACO and BRYAN GONZALEZ GUTIERREZ,
22 and others known and unknown, did knowingly and intentionally possess, with the intent
23 to distribute, and aid and abet the possession of, with the intent to distribute, a controlled
24 substance, including: cocaine, a substance controlled under Title 21, United States Code.
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1 The Grand Jury further alleges that this offense involved 500 grams or more of a
2 mixture or substance containing a detectable amount of cocaine, its salts, optical and
3 geometric isomers, and salts of isomers.

4 The Grand Jury further alleges that this offense was committed during and in
5 furtherance of the offense alleged in Count 1 (Conspiracy to Distribute Controlled
6 Substances).

7 All in violation of Title 21, United States Code, Sections 841(a)(1) and
8 841(b)(1)(B), and Title 18, United States Code, Section 2.

9 **COUNT 3**

10 **(Using a Firearm During and in Relation to a Drug Trafficking Crime)**

11 On or about March 1, 2024, in King County, within the Western District of
12 Washington, HECTOR DURAN ALDACO knowingly used a firearm, that is: one Draco
13 firearm, during and in relation to a drug trafficking crime for which the defendant may be
14 prosecuted in a court of the United States: *Conspiracy to Distribute Controlled*
15 *Substances*, as alleged in Count 1 above.

16 All in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

17 **COUNT 4**

18 **(Possession of Controlled Substances with Intent to Distribute)**

19 On or about March 28, 2024, in King County, within the Western District of
20 Washington, HECTOR DURAN ALDACO and DANIEL MORENO did knowingly and
21 intentionally possess, with the intent to distribute, and aid and abet the possession of,
22 with the intent to distribute, controlled substances, including: methamphetamine and
23 cocaine, substances controlled under Title 21, United States Code.

24 The Grand Jury further alleges that this offense involved 50 grams or more of
25 methamphetamine, its salts, isomers, or salts of its isomers and 500 grams or more of a
26 mixture or substance containing a detectable amount of methamphetamine.
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1 The Grand Jury further alleges that this offense was committed during and in
2 furtherance of the offense alleged in Count 1 (Conspiracy to Distribute Controlled
3 Substances).

4 All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A),
5 841(b)(1)(C), and Title 18, United States Code, Section 2.

6 **FORFEITURE ALLEGATION**

7 The allegations contained in Counts 1 through 4 of this Indictment are hereby
8 realleged and incorporated by reference for the purpose of alleging forfeiture.

9 Upon conviction of the offense alleged in Count 1, HECTOR DURAN ALDACO,
10 DAMIAN PINA-RAYMUNDO, DANIEL MORENO, ROGELIO PENA, DAVID
11 PADILLA, ALEX ORTIZ, NELDIN LICONA RIVERA, ALEXANDER KEMP,
12 BRYAN GONZALEZ GUTIERREZ, and SEBASTIAN ROJAS shall forfeit to the
13 United States, pursuant to Title 21, United States Code, Section 853, any property that
14 constitutes or is traceable to proceeds of the offense, as well as any property that
15 facilitated the offense. This property includes, but is not limited to:

- 16 a. approximately \$785.00 in United States currency;
17 b. approximately \$535.00 in United States currency;
18 c. one Smith and Wesson M&P 9 Shield 9mm pistol;
19 d. one FN 503 9mm pistol;
20 e. one black S.C. Nova Grup AK9 9mm Pistol;
21 f. one tan and black Diamond Back Arms DB-15 5.56 Caliber Pistol;
22 g. any associated magazines; and
23 h. any associated ammunition.
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1 Upon conviction of the offense alleged in Count 2, HECTOR DURAN ALDACO
2 shall forfeit to the United States, pursuant to Title 18, United States Code, Section
3 924(d)(1), by way of Title 28, United States Code, Section 2461(c), any firearms and
4 ammunition that were involved in the offense. This property includes, but is not limited
5 to:

- 6 a. one black S.C. Nova Grup AK9 9mm Pistol;
- 7 b. one tan and black Diamond Back Arms DB-15 5.56 Caliber Pistol;
- 8 c. any associated magazines; and
- 9 d. any associated ammunition.

10 Upon conviction of the offense alleged in Count 4, HECTOR DURAN ALDACO
11 and DANIEL MORENO shall forfeit to the United States, pursuant to Title 21, United
12 States Code, Section 853, any property that constitutes or is traceable to proceeds of the
13 offense, as well as any property that facilitated the offense. This property includes, but is
14 not limited to:

- 15 a. one Smith and Wesson M&P 9 Shield 9mm pistol;
- 16 b. one FN 503 9mm pistol;
- 17 c. one black S.C. Nova Grup AK9 9mm Pistol;
- 18 d. one tan and black Diamond Back Arms DB-15 5.56 Caliber Pistol;
- 19 e. any associated magazines; and
- 20 f. any associated ammunition.

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1 **Substitute Assets.** If any of the above-described forfeitable property, as a result of
2 any act or omission of the defendants,

- 3 a. cannot be located upon the exercise of due diligence;
4 b. has been transferred or sold to, or deposited with, a third party;
5 c. has been placed beyond the jurisdiction of the Court;
6 d. has been substantially diminished in value; or
7 e. has been commingled with other property which cannot be divided
8 without difficulty,

9 it is the intent of the United States to seek the forfeiture of any other property of the
10 defendants, up to the value of the above-described forfeitable property, pursuant to
11 Title 21, United States Code, Section 853(p).

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13 A TRUE BILL:

14 DATED: 5/8/24

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16 *Signature of Foreperson redacted pursuant*
17 *to the policy of the Judicial Conference of*
 the United States.

18 _____
19 FOREPERSON

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21 _____
22 TESSA M. GORMAN
23 United States Attorney

24 
25 _____
26 VINCENT T. LOMBARDI
27 Assistant United States Attorney

28 
29 _____
30 CASEY S. CONZATTI
31 ELYNE M. VAUGHT
32 Assistant United States Attorneys